AMENDMENTS TO THE CLAIMS

The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-27. (cancelled)

28. (amended): A hardenable flowable substance for application to a patch surface surrounded by an acoustic ceiling material having an irregular surface texture to form a layer of textured patch material on the patch surface, wherein the hardenable flowable substance is storable in a fluid-tight dispensing container and sprayable utilizing a volatile organic compound (VOC) propellant, the hardenable flowable substance comprising:

a liquid base;

a filler selected to form an extender or bodifier for the resulting patch material;

an adhesive binder selected to adhere the resulting patch material to the surface;

an aggregate comprising polyethylene particulates ~~that does not decompose in the presence of VOC propellants~~, selected to give the resulting patch material an irregular surface texture;

an anti-foaming agent; and

a suspension agent,

wherein the hardenable flowable substance is initially stored in fluid state and is dispensable in the form of ~~an~~ a more controllable aerosol spray from the fluid-tight container and, after being released and curing, forms a bumpy, irregular surface texture that matches and is compatible with the acoustic ceiling material surrounding the patch, and wherein the aggregate does not decompose in the hardenable flowable substance when stored in the fluid state or dispensed in the aerosol spray.

29. (original): The hardenable flowable substance according to claim 28, having the following composition by percentage weight:

the liquid base of 20-70%;

the filler of 40-80%;

the adhesive binder of 1-50%;

the propellant of 5-20%;

the aggregate of 2-40%;

the anti-foaming agent of 1-10%; and

the suspension agent of 1-20%.

30. (original): The hardenable flowable substance according to claim 29, wherein:

the liquid base consists essentially of water;

the filler consists essentially of a mixture of calcium carbonate and mica;

the adhesive binder consists essentially of polyvinyl alcohol;

the propellant consists essentially of dimethyl ether;

the polyethylene particulates of the aggregate are open-cell;

the anti-foaming agent consists essentially of Wichenol; and

the suspension agent consists essentially of carbonal.

31. (original): The hardenable flowable substance according to claim 29, wherein:

the liquid base consists essentially of a solvent;

the filler consists essentially of a mixture of calcium carbonate and mica;

the adhesive binder consists essentially of polyvinyl alcohol;

the propellant consists essentially of dimethyl ether;

the polyethylene particulates of the aggregate are open-cell;

the anti-foaming agent consists essentially of Wichenol; and

the suspension agent consists essentially of carbonal.

32. (original): The hardenable flowable substance according to claim 28, further comprising:

a fungicide.

33. (original): The hardenable flowable substance according to claim 28, further comprising:

an anti-freeze.

34. (original): The hardenable flowable substance according to claim 33, wherein the anti-freeze consists essentially of ethylene glycol.

35. (original): The hardenable flowable substance according to claim 32, wherein the fungicide as a composition by percentage weight of 0.05-5%.

36. (original): The hardenable flowable substance according to claim 33, wherein the anti-freeze has a composition by percentage weight of 1-10%.

55. (amended): A hardenable flowable substance storable in a fluid-tight dispensing container and sprayable utilizing a volatile organic compound (VOC) propellant, the hardenable flowable substance comprising:

a liquid base;

a filler selected to form an extender or bodifier for the resulting patch material;

an adhesive binder selected to adhere the resulting patch material to the surface;

an aggregate comprising polyethylene particulates ~~that does not decompose in the presence of VOC propellants~~, selected to give the resulting patch material an irregular surface texture;

an anti-foaming agent; and

a suspension agent,

wherein the hardenable flowable substance is initially stored in fluid state and is dispensable in the form of ~~an~~ a more controllable aerosol spray from the fluid-tight container and, after being released and curing, forms a bumpy, irregular surface texture that matches and is compatible with the acoustic ceiling material

surrounding the patch, and wherein the aggregate does not decompose in the hardenable flowable substance when stored in the fluid state or dispensed in the aerosol spray.

56. (amended): A hardenable flowable substance for application to a patch surface surrounded by an acoustic ceiling material having an irregular surface texture to form a layer of textured patch material on the patch surface, wherein the hardenable flowable substance is storable in a fluid-tight dispensing container and sprayable utilizing a propellant, the hardenable flowable substance comprising:

a liquid base;

a filler selected to form an extender or bodifier for the resulting patch material;

an adhesive binder selected to adhere the resulting patch material to the surface;

an aggregate selected to give the resulting patch material an irregular surface texture, the aggregate comprising polyethylene particulates;

an anti-foaming agent; and

a suspension agent,

wherein the hardenable flowable substance is initially stored in fluid state and is dispensable in the form of ~~an~~ a more controllable aerosol spray from the fluid-tight container and, after being released and curing, forms a bumpy, irregular surface texture that matches and is compatible with the acoustic ceiling material surrounding the patch, and wherein the aggregate does not decompose in the hardenable flowable substance when stored in the fluid state or dispensed in the aerosol spray.

57. (new): A hardenable flowable substance for application to a patch surface surrounded by an acoustic ceiling material having an irregular surface texture to form a layer of textured patch material on the patch surface, wherein the hardenable flowable substance is storable in a fluid-tight dispensing container and

sprayable utilizing a volatile organic compound (VOC) propellant, the hardenable flowable substance comprising:

a liquid base;

a filler selected to form an extender or bodifier for the resulting patch material;

an adhesive binder selected to adhere the resulting patch material to the surface;

an aggregate comprising polyethylene particulates that does not decompose in the presence of VOC propellants, selected to give the resulting patch material an irregular surface texture;

an anti-foaming agent; and

a suspension agent comprising carbonal,

wherein the hardenable flowable substance is initially stored in fluid state and is dispensable in the form of an aerosol spray from the fluid-tight container and, after being released and curing, forms a bumpy, irregular surface texture that matches and is compatible with the acoustic ceiling material surrounding the patch.

58. (new): The hardenable flowable substance according to claim 57, having the following composition by percentage weight:

the liquid base of 20-70%;

the filler of 40-80%;

the adhesive binder of 1-50%;

the propellant of 5-20%;

the aggregate of 2-40%;

the anti-foaming agent of 1-10%; and

the suspension agent of 1-20%.

59. (new): The hardenable flowable substance according to claim 58, wherein:

the liquid base consists essentially of water;

the filler consists essentially of a mixture of calcium carbonate and mica;
the adhesive binder consists essentially of polyvinyl alcohol;
the propellant consists essentially of dimethyl ether;
the polyethylene particulates of the aggregate are open-cell;
the anti-foaming agent consists essentially of Wichenol; and
the suspension agent consists essentially of carbonal.

60. (new): The hardenable flowable substance according to claim 58, wherein:

the liquid base consists essentially of a solvent;
the filler consists essentially of a mixture of calcium carbonate and mica;
the adhesive binder consists essentially of polyvinyl alcohol;
the propellant consists essentially of dimethyl ether;
the polyethylene particulates of the aggregate are open-cell;
the anti-foaming agent consists essentially of Wichenol; and
the suspension agent consists essentially of carbonal.

61. (new): The hardenable flowable substance according to claim 57, further comprising:

a fungicide.

62. (new): The hardenable flowable substance according to claim 57, further comprising:

an anti-freeze.

63. (new): The hardenable flowable substance according to claim 62, wherein the anti-freeze consists essentially of ethylene glycol.

64. (new): The hardenable flowable substance according to claim 61, wherein the fungicide as a composition by percentage weight of 0.05-5%.

65. (new): The hardenable flowable substance according to claim 62, wherein the anti-freeze has a composition by percentage weight of 1-10%.

66. (new): A hardenable flowable substance storable in a fluid-tight dispensing container and sprayable utilizing a volatile organic compound (VOC) propellant, the hardenable flowable substance comprising:

a liquid base;

a filler selected to form an extender or bodifier for the resulting patch material;

an adhesive binder selected to adhere the resulting patch material to the surface;

an aggregate comprising polyethylene particulates that does not decompose in the presence of VOC propellants, selected to give the resulting patch material an irregular surface texture;

an anti-foaming agent; and

a suspension agent comprising carbonal,

wherein the hardenable flowable substance is initially stored in fluid state and is dispensable in the form of an aerosol spray from the fluid-tight container and, after being released and curing, forms a bumpy, irregular surface texture that matches and is compatible with the acoustic ceiling material surrounding the patch.

67. (new): A hardenable flowable substance for application to a patch surface surrounded by an acoustic ceiling material having an irregular surface texture to form a layer of textured patch material on the patch surface, wherein the hardenable flowable substance is storable in a fluid-tight dispensing container and sprayable utilizing a propellant, the hardenable flowable substance comprising:

a liquid base;

a filler selected to form an extender or bodifier for the resulting patch material;

an adhesive binder selected to adhere the resulting patch material to the surface;

an aggregate selected to give the resulting patch material an irregular surface texture, the aggregate comprising polyethylene particulates;

an anti-foaming agent; and

a suspension agent comprising carbonal,

wherein the hardenable flowable substance is initially stored in fluid state and is dispensable in the form of an aerosol spray from the fluid-tight container and, after being released and curing, forms a bumpy, irregular surface texture that matches and is compatible with the acoustic ceiling material surrounding the patch.